

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 PHIL KIVER,

8 Plaintiff,

9 v.

10 UNITED STATES OF AMERICA,

11 Defendant.

12
13 LYUDMILA KOVALENKO,

14 Third-Party Plaintiff,

15 v.

16 PHIL KIVER,

17 Third-Party Defendant.

NO. 2:16-CV-0217-TOR

ORDER GRANTING STIPULATED
MOTION TO DISMISS

18
19 BEFORE THE COURT is Plaintiff/Third-Party Defendant Phil Kiver and
20 Third-Party Plaintiff Lyudmila Kovalenko's Stipulated Motion to Dismiss (ECF

1 No. 33). Third Party Plaintiff and Third-Party Defendant move the court to
2 dismiss Kovalenko's Third-Party Complaint and all claims brought against Kiver
3 with prejudice. ECF No. 33 at 1-2. The Court has reviewed the completed
4 briefing and record and files herein, and is fully informed. For good cause shown
5 and pursuant to the parties' stipulation, the Motion is GRANTED.

6 **ACCORDINGLY, IT IS HEREBY ORDERED:**

7 Third-Party Plaintiff and Third-Party Defendant's Stipulated Motion to
8 Dismiss (ECF No. 33) is **GRANTED**. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii)
9 and the parties' stipulation, Kovalenko's Third-Party Complaint and all claims
10 brought against Kiver are **DISMISSED WITH PREJUDICE**, each party bearing
11 its own costs.

12 The District Court Executive is directed to enter this Order, terminate Third-
13 Party Plaintiff Kovalenko from the case, and furnish copies to counsel.

14 **DATED** October 12, 2017.



17
18
19
20

A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
Chief United States District Judge